

18334 US PTO  
04160419587 U.S. PTO  
10/825944

041604

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 5557.P017  
(maximum 12 characters)

First Named Inventor Kolstad et al.

Title: BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTER

Express Mail Label No. EV320117633US

ADDRESS TO: **Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original and a duplicate for fee processing)
2.  **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.  **Specification (Total Pages 55)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  **Drawings(s) (35 USC 113) (Total Sheets 7)**
5.  **Oath or Declaration (Total Pages 4)**
  - a.  Newly Executed (Original or Copy)
  - b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 18 completed)
    - i.  **DELETIONS OF INVENTOR(S)** Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
    - c.  Unsigned.
6.  **Application Data Sheet. (37 CFR 1.76)**
7.  **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8.  **Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)**
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  **Assignment Papers (cover sheet & documents(s))**

10.  a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
 b. Power of Attorney

11.  English Translation Document (if applicable)

12.  a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)  
 b. Copies of IDS Citations

13.  Preliminary Amendment

14.  **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**

15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)

16.  **Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**

17A.  Claim for Foreign Priority

17B.  Other: \_\_\_\_\_

**17C.**  Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

**18.** If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:

Continuation       Divisional       Continuation-in-part (CIP)  
 Of Prior Application No.: \_\_\_\_\_  Examiner \_\_\_\_\_  Group Art Unit \_\_\_\_\_  
 (which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
 which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority.  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. Correspondence Address**  
 Customer Number or Bar Code Label  
 \_\_\_\_\_ or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
 Correspondence Address Below  
**NAME** Todd M. Becker  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
**ADDRESS** 12400 Wilshire Boulevard  
Seventh Floor  
**CITY** Los Angeles      **STATE** California      **ZIP CODE** 90025  
**Country** U.S.A.      **TELEPHONE** (206) 292-8600      **FAX** (206) 292-8606

Name (PRINT/TYPE): Todd M. Becker      Registration No.: 43,487  
 Signature: Todd M. Becker      Date: 4-16-04

## NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Kolstad et al.

Title BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTER

Attorney Docket No. 5557.P017

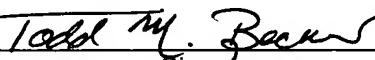
Express Mail No.: EV320117633US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

**I hereby request that the attached application not be published under 35 U.S.C. 122(b).**

4-16-04

Date



Signature

(206) 292-8600

Telephone Number

Todd M. Becker

Typed or Printed Name

43,487

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

041604  
18334 U.S.PTO

## FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 4264.00

Complete if Known:

Application No. New Patent Application  
 Filing Date Herewith  
 First Named Inventor Kolstad et al.  
 Examiner Name Not Yet Assigned  
 Art Unit Not Yet Assigned  
 Attorney Docket No. 5557.P017

 Applicant claims small entity status. See 37 CFR 1.27.

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name:

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

 Credit any overpayments. Charge any additional fees during the pendency of this application. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged. Charge fee(s) indicated below except for the filing fee.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1001	770	2001	385	Fee Description	
1002	340	2002	170	Utility application filing fee	<u>770</u>
1003	530	2003	265	Design application filing fee	
1004	770	2004	385	Plant filing fee	
1005	160	2005	80	Reissue filing fee	
				Provisional application filing fee	

SUBTOTAL (1) \$ 770.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims <u>145</u>	$- 20^{**} = 125$	<u>X 18</u>	<u>= 2250</u>
Independent Claims <u>17</u>	$- 3^{**} = 14$	<u>X 86</u>	<u>= 1204</u>
Multiple Dependent			

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity	Small Entity				
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1202	18	2202	9	Fee Description	
1201	86	2201	43	Claims in excess of 20	
1203	290	2203	145	Independent claims in excess of 3	
1204	86	2204	43	Multiple dependent claim, if not paid	
1205	18	2205	9	**Reissue independent claims over original patent	
				**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) \$ 3454.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	<u>Fee Description</u>
Code	(\$)	Code	(\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1813	8,800	1813	8,800	Request for inter parties reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive – unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	110	2814	55	Statutory Disclaimer
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.
1505	300	1505	300	Publication fee for republication
1803	130	1803	130	Request for voluntary publication or republication
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Todd M. BeckerSignature: Todd M. Becker Date: 4-16-04Reg. Number: 43,487 Telephone Number: (206) 292-8600

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL  
(AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND  
SELECTABLE NOISE FILTER**

Inventors: Jesse J. Kolstad and Bryan L. Davis

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



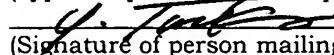
Todd M. Becker  
Reg. No. 43,487

"Express Mail" mailing label number: EV320117633US  
Date of Deposit: April 16, 2004

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Yuko Tanaka

(Typed or printed name of person mailing paper or fee)



April 16, 2004

(Signature of person mailing paper or fee)

(Date signed)

Serial/Patent No.: <u>New Patent Application</u>	Filing/Issue Date: <u>Herewith</u>
Client: <u>Microscan Systems Incorporated</u>	
Title: <u>BARCODE SCANNER WITH LINEAR AUTOMATIC GAIN CONTROL (AGC), MODULATION TRANSFER FUNCTION DETECTOR, AND SELECTABLE NOISE FILTER</u>	
BSTZ File No.: <u>5557.P017</u>	Atty/Secty Initials: <u>TMB/lma/ytt</u>
Date Mailed: <u>April 16, 2004</u>	Docket Due Date: <u>*****</u>
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:	
<input type="checkbox"/> Amendment/Response (____ pgs.) <input checked="" type="checkbox"/> Express Mail No.: <u>EV320117633US</u> <input checked="" type="checkbox"/> Check No. <u>3481</u> <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) <input type="checkbox"/> Month(s) Extension of Time      Amt: <u>\$4264.00</u> <input checked="" type="checkbox"/> Application - Utility ( <u>55</u> pgs., with cover and abstract) <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.) <input type="checkbox"/> Check No. _____ <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.) <input type="checkbox"/> Issue Fee Transmittal      Amt: _____ <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.) <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.) <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.) <input type="checkbox"/> Petition for _____ <input type="checkbox"/> Application - Design (____ pgs.) <input type="checkbox"/> Postcard <input type="checkbox"/> Application - PCT (____ pgs.) <input type="checkbox"/> Power of Attorney (____ pgs.) <input type="checkbox"/> Application - Provisional (____ pgs.) <input type="checkbox"/> Preliminary Amendment (____ pgs.) <input checked="" type="checkbox"/> Assignment and Cover Sheet <input type="checkbox"/> Reply Brief (____ pgs.) <input checked="" type="checkbox"/> Certificate of Mailing <input type="checkbox"/> Response to Notice of Missing Parts <input checked="" type="checkbox"/> Declaration & POA ( <u>4</u> pgs.) <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) <input checked="" type="checkbox"/> Transmittal Letter, in duplicate, (w/ nonpublication <input checked="" type="checkbox"/> Drawings: <u>7</u> # of sheets includes <u>7</u> figures <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <input checked="" type="checkbox"/> Other: <u>Certificate of mailing with copy of return postcard signed by attorney</u>	